HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.637 OF 2004.

Shri Jairam Bapu Rane. ...Applicant

V/s.

The State of Maharashtra & Ors.. ...Respondent

Shri Amit Sale, advocate for applicant

Shri A.S.Gadkari, APP for State.

Shri Milind Deshmukh, advocate for respondent 2 and 3.

CORAM: A.M.KHANWILKAR,J
DATE : APRIL 1,2005

P.C. :-

1. Heard the counsel for the parties.

2. This application has been filed for cancellation of bail granted by this Court in favour of the private respondents by order dated September 26, 2003 in Criminal Application No.3788 of 2003, on the assertion that in spite of the condition imposed by this court that the private respondents shall not enter the jurisdiction of Natepute Police Station till the conclusion of the trial, they jumped that condition by entering into that area firstly on 26th September, 2003 again on 7th November, 2003 and thereafter on 7th December, 2003. It is seen that in respect of the

entry made by the private respondents on 7th November, 2003, chapter proceedings were initiated against them which culminated with the adverse order passed on 10th November, 2003.

3. During the course of the argument, my attention was also drawn to the incident of private respondents having entered into the restricted area during the pendency of the present application on 1st October, 2004. However, there is no pleading in that behalf. I am therefore, not basing my decision on the said event. Suffice to observe that, the fact that the private respondents jumped bail condition by entering into jurisdiction of Natepute Police Station, in spite of the restriction imposed in that behalf by this Court's order dated September 26, 2003, is established from the record. If it is so, the bail granted in favour of the respondents will have to be cancelled, as it is obvious that they have no regard for the condition imposed by this Court for releasing them on bail. Accordingly, this application is allowed in the following terms.

(A) The Bail order passed in favour of the private respondents is recalled for the aforesaid reasons with direction to the concerned police station to proceed against the private

respondents in accordance with the law.

(B) The trial court is directed to expedite the hearing of the case and preferably conclude the same within a period of 6 months from the receipt of this order.

. Criminal Application is disposed of accordingly.